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*Attorneys for Plaintiffs Dell Inc. and Dell Products L.P.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 3:07-md-05944-SC (N.D.  
Cal.)

MDL No. 1917

This Document Relates to: Individual Case  
No. 13-cv-2171 (SC)

DELL INC. AND DELL PRODUCTS L.P.,

PLAINTIFFS,

v.

HITACHI, LTD., *ET AL.*,

DEFENDANTS.

**DECLARATION OF DEBRA D.  
BERNSTEIN IN SUPPORT OF THE DELL  
PLAINTIFFS' OPPOSITION TO  
DEFENDANTS' MOTION FOR PARTIAL  
SUMMARY JUDGMENT AGAINST DELL  
ON STATUTE OF LIMITATIONS  
GROUNDS**

1 I, **DEBRA D. BERNSTEIN**, declare as follows:

2 1. I am a Partner with the law firm of Alston & Bird LLP, counsel for Plaintiffs Dell Inc.  
3 and Dell Products L.P. (collectively, “Dell”) in the above-captioned action currently pending in the  
4 U.S. District Court for the Northern District of California. I submit this Declaration in support of  
5 Dell’s Opposition to Defendants’ Motion for Partial Summary Judgment Against Dell on Statute of  
6 Limitations Grounds (hereinafter, the “Bernstein Declaration”).

7 2. I am a member in good standing of the State Bar of Georgia and am admitted to practice  
8 before the U.S. District Court for the Northern District of Georgia. Pursuant to the Court’s Pretrial  
9 Order No. 1 in the MDL Proceeding, I have been admitted *pro hac vice* in this litigation.

10 1. **Exhibit 1** to the Bernstein Declaration is a true and correct copy of excerpts from the  
11 deposition transcripts of Chih Chin Liu.

12 2. **Exhibit 2** to the Bernstein Declaration is a true and correct copy of excerpts from the  
13 deposition transcripts of Sheng-Jen Yang.

14 3. **Exhibit 3** to the Bernstein Declaration is a true and correct copy of a document  
15 produced by Chunghwa Picture Tubes, and a certified English translation of the same, bearing bates  
16 numbers CHU00102864 – CHU00102865.

17 4. **Exhibit 4** to the Bernstein Declaration is a true and correct copy of a document  
18 produced by Chunghwa Picture Tubes, bearing bates numbers CHU00647932 – CHU00647943,  
19 entered as Exhibit 1227 at the deposition of Chih Chun Liu.

20 5. **Exhibit 5** to the Bernstein Declaration is a true and correct copy of a document  
21 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
22 SDCRT-0005830 – SDCRT-0005842, entered as Exhibit 713 at the deposition of Michael Son.

23 6. **Exhibit 6** to the Bernstein Declaration is a true and correct copy of a document  
24 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
25 SDCRT-0086490 – SDCRT-0086492.

26 7. **Exhibit 7** to the Bernstein Declaration is a true and correct copy of a document  
27 produced by Samsung SDI, bearing bates numbers SDCRT-0091692 – SDCRT-0091701.  
28

1           8.       **Exhibit 8** to the Bernstein Declaration is a true and correct copy of a document  
2 produced by Chunghwa Picture Tubes, and a certified English translation of the same, bearing bates  
3 numbers CHU00028705 – CHU00028706.

4           9.       **Exhibit 9** to the Bernstein Declaration is a true and correct copy of a document  
5 produced by Chunghwa Picture Tubes, and a certified English translation of the same, bearing bates  
6 numbers CHU00578883 – CHU00578885, entered as Exhibit 1871 at the deposition of Jin Kang Jung.

7           10.      **Exhibit 10** to the Bernstein Declaration is a true and correct copy of a document  
8 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
9 0400579– 0400580.

10          11.      **Exhibit 11** to the Bernstein Declaration is a true and correct copy of a document  
11 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
12 0410018, and MTPD0410020 – MTPD0410021, entered as Exhibits 1797 and 1798 at the deposition  
13 of Yasuki Yamamoto.

14          12.      **Exhibit 12** to the Bernstein Declaration is a true and correct copy of a document  
15 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
16 0423675 – MTPD-0423677.

17          13.      **Exhibit 13** to the Bernstein Declaration is a true and correct copy of a document  
18 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
19 0493549 – MTPD-0493550.

20          14.      **Exhibit 14** to the Bernstein Declaration is a true and correct copy of a document  
21 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
22 SDCRT-0086449 – SDCRT-0086454.

23          15.      **Exhibit 15** to the Bernstein Declaration is a true and correct copy of a document  
24 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
25 SDCRT-0086532 – SDCRT-0086536.

26          16.      **Exhibit 16** to the Bernstein Declaration is a true and correct copy of a document  
27 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
28 SDCRT-0086557 – SDCRT-0086560, entered as Exhibit 1528 at the deposition of Duck Yun Kim.

1           17.     **Exhibit 17** to the Bernstein Declaration is a true and correct copy of a document  
2 produced by Toshiba, and a certified English translation of the same, bearing bates number TSB-CRT-  
3 00035348 – TSB-CRT-00035349.

4           18.     **Exhibit 18** to the Bernstein Declaration is a true and correct copy of a document  
5 produced by Toshiba, and a certified English translation of the same, bearing bates numbers TSB-CRT-  
6 00039829 – TSB-CRT-00039832.

7           19.     **Exhibit 19** to the Bernstein Declaration is a true and correct copy of a document  
8 produced by Chunghwa Picture Tubes, bearing bates numbers CHU00660717 – CHU00660727,  
9 entered as Exhibit 1225 at the deposition of Chih Chun Liu.

10          20.     **Exhibit 20** to the Bernstein Declaration is a true and correct copy of a document  
11 produced by Chunghwa Picture Tubes, bearing bates numbers CHU00648685.

12          21.     **Exhibit 21** to the Bernstein Declaration is a true and correct copy of a document  
13 produced by Chunghwa Picture Tubes, bearing bates numbers CHU00648741.

14          22.     **Exhibit 22** to the Bernstein Declaration is a true and correct copy of a document  
15 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
16 SDCRT-090280 – SDCRT-090282, entered as Exhibit 640 at the deposition of In Hwan Song.

17          23.     **Exhibit 23** to the Bernstein Declaration is a true and correct copy of a document  
18 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
19 0035375 – MTPD-0035376.

20          24.     **Exhibit 24** to the Bernstein Declaration is a true and correct copy of a document  
21 produced by Panasonic, and a certified English translation of the same, bearing bates numbers MTPD-  
22 0492286 – MTPD-0492289.

23          25.     **Exhibit 25** to the Bernstein Declaration is a true and correct copy of a document  
24 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
25 SDCRT-0086672-SDCRT-0086674.

26          26.     **Exhibit 26** to the Bernstein Declaration is a true and correct copy of a document  
27 produced by Samsung SDI, and a certified English translation of the same, bearing bates numbers  
28 SDCRT-0090319 – SDCRT-0090321.

1           27.     **Exhibit 27** to the Bernstein Declaration is a true and correct copy of portions of the  
2 Transcript of the August 6, 2014, Deposition of Martin Garvin.

3           28.     **Exhibit 28** to the Bernstein Declaration is a true and correct copy of portions of the  
4 Transcript of the August 27, 2014, Deposition of Gerry Smith.

5           29.     **Exhibit 29** to the Bernstein Declaration is a true and correct copy of portions of the  
6 Transcript of the August 8, 2014, Deposition of Angela Ford.

7           30.     **Exhibit 30** to the Bernstein Declaration is a true and correct copy of portions of the  
8 Transcript of the August 15, 2014, Deposition of Glenn Neland.

9           31.     **Exhibit 31** to the Bernstein Declaration is a true and correct copy of portions of the  
10 Transcript of the August 22, 2014, Deposition of Thomas McGinty “Mac” Stringfellow.

11          32.     **Exhibit 32** to the Bernstein Declaration is a true and correct copy of portions of the  
12 Transcript of the August 23, 2014, Deposition of Jon Melnick.

13          33.     **Exhibit 33** to the Bernstein Declaration is a true and correct copy of portions of the  
14 Transcript of the August 13, 2014, Deposition of Dennis Selman.

15          34.     **Exhibit 34** to the Bernstein Declaration is a true and correct copy of portions of the  
16 Transcript of the September 3, 2014, Deposition of Shutuan Lillie.

17          35.     **Exhibit 35** to the Bernstein Declaration is a true and correct copy of portions of the  
18 Transcript of the August 28, 2014, Deposition of Ricky E. Ratley.

19          36.     **Exhibit 36** to the Bernstein Declaration is a true and correct copy of portions of the  
20 Transcript of the September 9, 2014, Deposition of Julie French.

21          37.     **Exhibit 37** to the Bernstein Declaration is a true and correct copy of a Complaint filed  
22 by the Direct Purchaser Class Plaintiffs on November 26, 2007.

23          38.     **Exhibit 38** to the Bernstein Declaration is a true and correct copy of the Complaint filed  
24 by Dell Inc. and Dell Products L.P. on February 17, 2013.

25          39.     **Exhibit 39** to the Bernstein Declaration is a true and correct copy of a document  
26 produced by Dell, bearing bates number DELL-CRT-00103347, entered as Exhibit 5091 at the  
27 deposition of Angela Ford.  
28

1           40.     **Exhibit 40** to the Bernstein Declaration is a true and correct copy of a document  
2 produced by Dell, bearing bates numbers DELL-LCD00000698 – DELL-LCD00000704, entered as  
3 Exhibit 5093 at the deposition of Angela Ford.

4           41.     **Exhibit 41** to the Bernstein Declaration is a true and correct copy of a document  
5 produced by Dell, bearing bates numbers DELL-CRT-00103345 – DELL-CRT-00103346, entered as  
6 Exhibit 5092 at the deposition of Angela Ford.

7           42.     **Exhibit 42** to the Bernstein Declaration is a true and correct copy of a document  
8 produced by Dell, bearing bates numbers DELL-CRT-00103333 – DELL-CRT-00103336, entered as  
9 Exhibit 4993 at the deposition of Martin Garvin.

10          43.     **Exhibit 43** to the Bernstein Declaration is a true and correct copy of portions of the  
11 Transcript of the October 27, 2014 deposition of Kenneth G. Elzinga, Ph.D.

12          44.     **Exhibit 44** to the Bernstein Declaration is a true and correct copy of Exhibit 3 to the  
13 Expert Report of Dr. Kenneth G. Elzinga, April 15, 2014.

14          45.     **Exhibit 45** to the Bernstein Declaration is a true and correct copy of a document  
15 produced by Dell, bearing bates numbers DELL-LCD00000535 – DELL-LCD00000537, entered as  
16 Exhibit 5090 at the deposition of Angela Ford.

17          46.     **Exhibit 46** to the Bernstein Declaration is a true and correct copy of a document  
18 produced by Dell, bearing bates number DELL-CRT-00100758, entered as Exhibit 5089 at the  
19 deposition of Angela Ford.

20          47.     **Exhibit 47** to the Bernstein Declaration is a true and correct copy of a document  
21 produced by Dell, bearing bates number DELL-CRT-00102738 – DELL-CRT-00102741, entered as  
22 Exhibit 5094 at the deposition of Angela Ford.

23          48.     **Exhibit 48** to the Bernstein Declaration is a true and correct copy of a document  
24 produced by Dell, bearing bates number DELL-LCD00000705 – DELL-LCD00000707, entered as  
25 Exhibit 5200 at the deposition of Dennis Selman.

26          49.     **Exhibit 49** to the Bernstein Declaration is a true and correct copy of a document  
27 produced by Dell, bearing bates number DELL-00822069 – DELL-00822070, entered as Exhibit 6071  
28 at the deposition of Shutuan Lillie.

1           50.     **Exhibit 50** to the Bernstein Declaration is a true and correct copy of a document  
2 produced by Dell, bearing bates number DELL-CRT-00032685 – DELL-CRT-00032686, entered as  
3 Exhibit 5205 at the deposition of Dennis Selman.

4           51.     **Exhibit 51** to the Bernstein Declaration is a true and correct copy of a document  
5 produced by Dell, bearing bates numbers DELL-LCD00000673 – DELL-LCD00000692, entered as  
6 Exhibit 4991 at the deposition of Martin Garvin.

7           52.     **Exhibit 52** to the Bernstein Declaration is a true and correct copy of a document  
8 produced by Dell, bearing bates number DELL-CRT-00101656, entered as Exhibit 6084 at the  
9 deposition of Julie French.

10          53.     **Exhibit 53** to the Bernstein Declaration is a true and correct copy of a document  
11 produced by Dell, bearing bates number DELL-CRT-00048466 – DELL-CRT-00048467.00035,  
12 entered as Exhibit 5077 at the deposition of Angela Ford.

13          54.     **Exhibit 54** to the Bernstein Declaration is a true and correct copy of portions of the  
14 Transcript of the June 2, 2014, 30 (b)(6) Deposition of Dell Plaintiffs, Julie French.

15          55.     **Exhibit 55** to the Bernstein Declaration is a true and correct copy of portions of the  
16 Transcript of the September 11, 2013 deposition of Jun Yeol Youn.

17          56.     **Exhibit 56** to the Bernstein Declaration is a true and correct copy of portions of the  
18 Transcript of the January 18, 2013 deposition of Dae Eui Lee.

19          57.     **Exhibit 57** to the Bernstein Declaration is a true and correct copy of portions of the  
20 Transcript of the July 25 – 26, 2014 deposition of Jae In Lee.

21          58.     **Exhibit 58** to the Bernstein Declaration is a true and correct copy of portions of the  
22 Transcript of the March 22, 2013 deposition of Sang Kyu Park.

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24                               [CONTINUED ON FOLLOWING PAGE]  
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1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3  
4 Executed on December 21, 2014, in Atlanta, Georgia.

5  
6 /s/ Debra D. Bernstein

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10 *Attorney for Plaintiffs Dell Inc. and Dell Products L.P*  
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